

AMENDMENTS TO THE CLAIMS

Claims 1-14 (Cancelled).

15. (Original) A photonic crystal formed on a semiconductor substrate, the substrate having a receiving region, the photonic crystal comprising:

a plurality of spaced-apart photonic stacks formed over the receiving region of the substrate, the photonic stacks having top surfaces, each photonic stack having a plurality of layers of material that alternate between a first layer of material and a second layer of material, the first layer of material having a first dielectric constant, the second layer of material having a second dielectric constant; and

an interstack material formed over the substrate between and adjoining the plurality of photonic stacks.

16. (Original) The crystal of claim 15 wherein the first layer of material is a dielectric.

17. (Original) The crystal of claim 15 wherein the interstack material has a top surface that is substantially coplanar with the top surfaces of the stacks.

18. (Original) The crystal of claim 15 wherein the interstack material has a top surface that is above the top surfaces of the stacks.

19. (Original) The method of claim 15 wherein the layer of interstack material is a dielectric having a dielectric constant that is equal to the dielectric constant of the layer of first material.

20. (Original) The method of claim 15 wherein the layer of interstack material is a dielectric having a dielectric constant that is different from the dielectric constant of the layer of first material.